

118TH CONGRESS
1ST SESSION

H. R. 3395

To direct the Chairman of the Federal Maritime Commission to seek to enter into an agreement with a federally funded research and development center to evaluate foreign ownership of marine terminals at the 15 largest United States container ports, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2023

Mr. AUCHINCLOSS (for himself and Mr. WEBSTER of Florida) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Chairman of the Federal Maritime Commission to seek to enter into an agreement with a federally funded research and development center to evaluate foreign ownership of marine terminals at the 15 largest United States container ports, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. STUDY ON FOREIGN PORTS.**

4 (a) IN GENERAL.—Not later than 90 days after the
5 date of enactment of this Act, the Chairman of the Fed-
6 eral Maritime Commission shall seek to enter into an
7 agreement with a federally funded research and develop-

1 ment center to evaluate how foreign ownership of marine
2 terminals at the 15 largest United States container ports
3 affects or could affect United States economic security.

4 (b) CONTENTS.—In carrying out the study under
5 subsection (a), the center selected under such subsection
6 shall—

7 (1) consider—

8 (A) changes in ownership of the 15 largest
9 United States container ports over the past 10
10 years as well as announced ownership changes
11 from 2023 and 2024;

12 (B) instances of ownership in individual
13 marine terminals and cumulative ownership by
14 Chinese or Russian entities or nationals;

15 (C) instances of ownership in individual
16 marine terminals and cumulative ownership by
17 any foreign entity;

18 (D) the amount of—

19 (i) Port Infrastructure Development
20 Grant funds since fiscal year 2018 that
21 have gone to ports and marine terminals
22 that are owned wholly or partially foreign
23 owned; and

24 (ii) Port Security Grant funds since
25 fiscal year 2003 that have gone to ports

1 and marine terminals that are owned whol-
2 ly or partially foreign owned; and

3 (E) where ownership exists, a detailed de-
4 scription of foreign operational control includ-
5 ing both affirmative and negative control; and
6 (2) offer recommendations on—

7 (A) policies by ports and marine terminal
8 operators to prevent excessive foreign ownership
9 that could threaten United States economic se-
10 curity;

11 (B) whether ownership affords the foreign
12 owner access to operational technology and in-
13 formation unique to the United States and oth-
14 erwise unavailable; and

15 (C) whether foreign ownership has or could
16 affect the supply chain and policies related to
17 the prioritization of certain cargoes.

18 (c) REPORT.—Not later than 1 year after the initi-
19 ation of the evaluation under subsection (a), the Chairman
20 of the Federal Maritime Commission shall submit to the
21 Committee on Commerce, Science, and Transportation of
22 the Senate and the Committee on Transportation and In-
23 frastructure of the House of Representatives the results
24 of such evaluation.

○